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FILED
HARRISBURG, PA
JUN 24 2002
MARY E. D'AMICO, CLERK
Per *[Signature]*
Deputy Clerk

AMANDA BARGE and ARTHUR BARGE
Plaintiffs

v.

DAVID J. SALINGER, M.D. and
KEYSTONE ONCOLOGY, LLC
Defendants

IN THE UNITED STATES DISTRICT
COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

NO. 1:CV-00-1881

HONORABLE SYLVIA H. RAMBO

JURY TRIAL DEMANDED

**STIPULATION OF JOINT MOTION FOR AMENDMENT OF
CASE MANAGEMENT ORDER DATED SEPTEMBER 13, 2001**

AND NOW, this ____ day of June 2002, Plaintiffs' Amanda Barge and Arthur Barge, by and through their attorneys, Richard Oare, Esquire and Louis G. Close, III, Esquire; Defendants, David J. Salinger, M.D. and Keystone Oncology, LLC, by and through their attorney, B. Craig Black, Esquire; and William Ying, Ph.D. and Comprehensive Physics and Regulatory Services Ltd., by and through their attorney, Joseph A. Ricci, Esquire, respectfully submit the following Petition for Amended Case Management Order for this Honorable Court's consideration, wherein the following is stated:

1. The above captioned action was commenced by virtue of a Complaint filed with this Honorable Court on October 25, 2000.

2. This Honorable Court most recently entered an Order on September 13, 2001 approving a Stipulation to Amend previously issued Case Management Order. In this Honorable Court's Order, the Court established deadlines for the completion of discovery, filing of pre-trial dispositive motions, filing of pre trial motions in limine and a projected trial date for this matter.

3. On or about February 19, 2002 this Honorable Court entered an Order staying further proceeding in this matter in reciprocity for an Order of the Commonwealth Court of Pennsylvania pursuant to the liquidation of PHICO Insurance Company.

4. Since the entry of this Honorable Court's Order of February 19, 2002, Defendants, David J. Salinger, M.D. and Keystone Oncology, LLC, have acquired new legal representation. Counsel for Dr. Salinger and Keystone has endeavored to review the pertinent case materials and prepare the matter for trial but is in need of some additional time in order to fully acclimate himself with the issues of the case and properly represent said clients.

5. As a result of a telephone conference conducted between counsel for the parties, counsel has jointly agreed to the amendment of this Honorable Court's prior Case Management Order dated September 13, 2001. To the extent that the previous stay Order had effected the Case Management Order previously entered by this Court, the parties hereby agree to the following revisions thereof;

- a. Defendants are to identify experts/ file expert reports - October 15, 2002;
- b. Deadlines for filing pre-trial dispositive motions - December 1, 2002
- c. Deadline for filing of Motions in Limine – January 1, 2003;
- d. Trial date – February trial list 2003.

6. In the interest of justice the parties hereto respectively request this Honorable Court to approve this Joint Motion to Amend Case Management Order and enter an Order in conformance therewith.

7. As reflected herein, all counsel concur with this Honorable Court's entry of an Order modifying the prior Case Management Order as set forth herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Craig Black", is written over a horizontal line.

B. Craig Black, Esquire
McKissock & Hoffman, P.C.
2040 Linglestown Road
Suite 302
Harrisburg, PA 17110
(717) 540-3400

Counsel for David Salinger, M.D. and
Keystone Oncology LLC

CERTIFICATE OF SERVICE


I hereby certify that I am this day serving a copy of the foregoing Stipulation to Amend Case Management Order upon the person(s) and in the manner indicated below, which service satisfies the requirements of FRCP 5(b), by depositing a copy of same in the United States Mail, first-class postage prepaid, addressed as follows:

Richard Oare, Esquire
1434 South George Street
York, PA 17403
(Counsel for Plaintiffs)

Louis G. Close, III, Esquire
22 West Pennsylvania Avenue
Towson, MD 21204
(Co-Counsel for Plaintiffs)

Joseph A. Ricci, Esquire
Farrell & Ricci
4423 North Front Street
Harrisburg, PA 17110
*(Counsel for William Ying, Ph.D., Comprehensive Physics and
Regulatory Services, Ltd. and Equimed, Inc.)*

McKissock & Hoffman, P.C.

By: 
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Attorneys for Defendants, David J. Salinger,
M.D. and Keystone Oncology, LLC

Dated: 6/21/02